

# **EXHIBIT A**

# YAHOO! SMALL BUSINESS

**RE: Activity in Case 1:03-cr-00308-LAK USA v. Bengis, et al Endorsed Letter**

Monday, March 7, 2011 9:49 AM

**From:** "Jeff Noll" <nollj@bellsouth.net>

**To:** "Jared Scharf" <jaredscharf@crimtaxlaw.com>

Jared

Thanks for the notifications regarding this case.

Please be advised that I do not need you to represent me in this matter.

Thanking you

Jeff Noll

**From:** Jared Scharf [mailto:jaredscharf@crimtaxlaw.com]

**Sent:** Saturday, March 05, 2011 9:51 AM

**To:** Jeffrey Noll

**Subject:** Fw: Activity in Case 1:03-cr-00308-LAK USA v. Bengis, et al Endorsed Letter

The court's latest order is attached below. I am waiting for your answer regarding whether you want me to represent you.

--- On Fri, 3/4/11, [NYSD ECF Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov) <[NYSD ECF Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov)> wrote:

**From:** [NYSD ECF Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov) <[NYSD ECF Pool@nysd.uscourts.gov](mailto:NYSD_ECF_Pool@nysd.uscourts.gov)>

**Subject:** Activity in Case 1:03-cr-00308-LAK USA v. Bengis, et al Endorsed Letter

**To:** [CourtMail@nysd.uscourts.gov](mailto:CourtMail@nysd.uscourts.gov)

**Date:** Friday, March 4, 2011, 3:09 PM

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\* Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court  
Southern District of New York

## Notice of Electronic Filing

The following transaction was entered on 3/4/2011 at 3:09 PM EST and filed on 3/4/2011

**Case Name:** USA v. Bengis, et al

**Case Number:** 1:03-cr-00308-LAK

**Filer:**

**Document Number:** 158

**Docket Text:**

ENDORSED LETTER as to Arnold Maurice Bengis, Jeffrey Noll, Grant Berman, David Bengis, Shaun Levy addressed to Judge Andrew J. Peck from Barry A. Bohrer dated 3/3/2011. re: Counsel for defense writes in response to the Court's Order, dated March 1, 2011, directing counsel for Defendants and the government to confer and advise the Court concerning whether additional

**YAHOO! SMALL BUSINESS**

**RE: Activity in Case 1:03-cr-00308-LAK USA v. Bengis, et al Endorsed Letter**

Monday, March 7, 2011 6:30 PM

**From:** "Jeff Noll" <nollj@bellsouth.net>

**To:** "Jared Scharf" <jaredscharf@crimtaxlaw.com>

Jared

I am using

Barry Bohrer of Morvillo, Abrahamowitz, Grand, Iason, Anello & Bohrer

565 Fifth Ave New York NY 10017

Tel: 212 856 9600

Thanks

Jeff Noll

**From:** Jared Scharf [mailto:jaredscharf@crimtaxlaw.com]

**Sent:** Monday, March 07, 2011 11:58 AM

**To:** Jeff Noll

**Subject:** RE: Activity in Case 1:03-cr-00308-LAK USA v. Bengis, et al Endorsed Letter

Jeff:

Please send me the name, address and telephone number of your new lawyer so I can prepare a notice of substitution of counsel and so I can transfer your files to him or her.

Best of luck.

Jared

# **EXHIBIT B**

**YAHOO! SMALL BUSINESS**

**SUBSTITUTION OF COUNSEL**

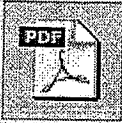
Tuesday, March 15, 2011 10:23 AM

**From:** "Jeff Noll" <nollj@bellsouth.net>

**To:** "Jared Scharf" <jaredscharf@crimtaxlaw.com>

**Cc:** bbohrer@maglaw.com

 1 File (294KB)



Scan032...

Jared

Herewith is a signed copy of the Notice of Substitution of Counsel.

I have as of today's date not received your original.

I will mail this signed copy to your office today.

Thanks

Jeff Noll

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

v.

03 Cr. 308 (LAK) (AJP)

ARNOLD MAURICE BENGIS, JEFFREY NOLL,  
and DAVID BENGIS,

Defendants.

NOTICE OF SUBSTITUTION OF  
COUNSEL

-----X  
PLEASE TAKE NOTICE that Barry A. Bohrer now appears as counsel in behalf  
of defendant Jeffrey Noll.

Respectfully submitted,

\_\_\_\_\_  
Barry A. Bohrer  
Morvillo, Abrahamowitz, Grand,  
Iason, Anello & Bohrer  
565 Fifth Avenue  
New York, New York 10017  
(212) 856-9600

Accepted:

  
\_\_\_\_\_  
Jeffrey Noll

\_\_\_\_\_  
Jared J. Scharf  
1025 Westchester Avenue  
Suite 305  
White Plains, New York 10604  
(914) 682-9777

# EXHIBIT C

# YAHOO! SMALL BUSINESS

Jeff Noll

Tuesday, March 29, 2011 3:26 PM

**From:** "Jared Scharf" <jaredscharf@crimtaxlaw.com>

**To:** "Barry Bohrer" <bbohrer@maglaw.com>

 1 File (38KB)



2011032...

Barry - Please see attached. I just FAXed this to you. I am now able to e-mail it.

Thanks,  
Jared



**JARED J. SCHARF**  
ATTORNEY AT LAW  
1025 WESTCHESTER AVENUE • SUITE 305  
WHITE PLAINS, NEW YORK 10604

---

(914) 682-9777

JARED J. SCHARF

---

ADAM L. SCHARF \*

\*NY, NJ BARS

March 29, 2011

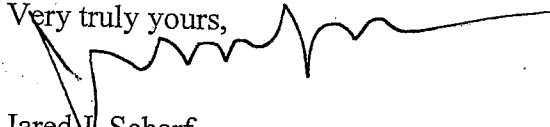
Barry A. Bohrer  
Morvillo, Abrahamowitz, Grand, Iason, Anello & Bohrer  
565 Fifth Avenue  
New York, New York 10017

Dear Mr. Bohrer:

Enclosed is an executed Notice of Substitution of Counsel for your signature. Once you have signed it, please return it to me so I can file it with the Court. Alternatively, you can file it with the Court if you wish.

Shall I forward Mr. Noll's files that I received from Mr. Hafetz to you or to Mr. Noll?

Very truly yours,

  
Jared J. Scharf

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

v.

03 Cr. 308 (LAK) (AJP)

ARNOLD MAURICE BENGIS, JEFFREY NOLL,  
and DAVID BENGIS,

Defendants.


**NOTICE OF SUBSTITUTION OF  
COUNSEL**


-----X  
PLEASE TAKE NOTICE that Barry A. Bohrer now appears as counsel in behalf  
of defendant Jeffrey Noll.

Respectfully submitted,

\_\_\_\_\_  
Barry A. Bohrer  
Morvillo, Abrahamowitz, Grand,  
Iason, Anello & Bohrer  
565 Fifth Avenue  
New York, New York 10017  
(212) 856-9600

Accepted:

  
\_\_\_\_\_  
Jeffrey Noll

  
\_\_\_\_\_  
Jared J. Scharf  
1025 Westchester Avenue  
Suite 305  
White Plains, New York 10604  
(914) 682-9777

TRANSMISSION VERIFICATION REPORT

TIME : 03/29/2011 15:26  
NAME : SKPW  
FAX : 9144283199  
TEL : 9144288800  
SER.# : BROA5J197730

DATE, TIME 03/29 15:26  
FAX NO./NAME 12128569494  
DURATION 00:00:37  
PAGE(S) 03  
RESULT OK  
MODE STANDARD  
ECM

JARED J. SCHARF, ESQ.  
ATTORNEY AT LAW  
1025 WESTCHESTER AVENUE  
SUITE 305  
WHITE PLAINS, NEW YORK 10604  
(914) 682-9777 - TELEPHONE  
(914) 428-3199 - FACSIMILE

FACSIMILE TRANSMITTAL SHEET

TO: Barry Bohrer, Esq. FROM: Jared J. Scharf  
FAX NUMBER: 212.856.9494 DATE: 3/29/11  
RE:  
TOTAL NO. OF PAGES INCLUDING COVER: 3  
NOTES/COMMENTS:

Please see attached. I am unable to e-mail this to you at this time because our network is down.

JARED J. SCHARF, ESQ.  
ATTORNEY AT LAW  
1025 WESTCHESTER AVENUE  
SUITE 305  
WHITE PLAINS, NEW YORK 10604  
(914) 682-9777 - TELEPHONE  
(914) 428-3199 - FACSIMILE

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Barry Bohrer, Esq.	Jared J. Scharf
FAX NUMBER:	DATE:
212.856.9494	3/29/11
RE:	
TOTAL NO. OF PAGES INCLUDING COVER:	
3	
NOTES/COMMENTS:	

Please see attached. I am unable to e-mail this to you at this time because our network is down.

The information contained in this facsimile transmission is attorney privileged and confidential information intended only for the use of the individual or entity above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication by error, please immediately notify us by telephone, at our expense, so that we may arrange for return of the original message to us at the above address via the U.S. postal service.

# **EXHIBIT D**


**YAHOO! SMALL BUSINESS**

Jeff Noll

Friday, June 3, 2011 1:59 PM

From: "Jared Scharf" &lt;jaredscharf@crimtaxlaw.com&gt;

To: "Barry Bohrer" &lt;bbohrer@maglaw.com&gt;

 1 File (38KB)

2011032...

Dear Barry:

I have reviewed the docket sheet and it appears that the Notice of Substitution of Counsel was not filed. Therefore, attached is an additional Notice of Substitution of Counsel. Please sign this and file with the court, and advise me when you have done so. In the alternative, you may sign it and return it to me, and I will file it.

Thank you.

Jared.

**JARED J. SCHARF**  
ATTORNEY AT LAW  
1025 WESTCHESTER AVENUE • SUITE 305  
WHITE PLAINS, NEW YORK 10604

(914) 682-9777

JARED J. SCHARF

ADAM L. SCHARF \*

\*NY, NJ BARS

March 29, 2011

Barry A. Bohrer  
Morvillo, Abrahamowitz, Grand, Iason, Anello & Bohrer  
565 Fifth Avenue  
New York, New York 10017

Dear Mr. Bohrer:

Enclosed is an executed Notice of Substitution of Counsel for your signature. Once you have signed it, please return it to me so I can file it with the Court. Alternatively, you can file it with the Court if you wish.

Shall I forward Mr. Noll's files that I received from Mr. Hafetz to you or to Mr. Noll?

Very truly yours,

Jared J. Scharf

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

v.

03 Cr. 308 (LAK) (AJP)

ARNOLD MAURICE BENGIS, JEFFREY NOLL,  
and DAVID BENGIS,

Defendants.

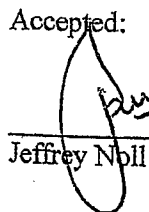
NOTICE OF SUBSTITUTION OF  
COUNSEL

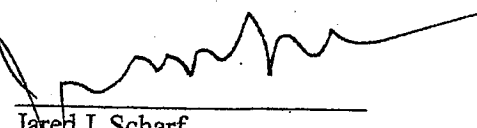
-----X  
PLEASE TAKE NOTICE that Barry A. Bohrer now appears as counsel in behalf  
of defendant Jeffrey Noll.

Respectfully submitted,

\_\_\_\_\_  
Barry A. Bohrer  
Morvillo, Abrahamowitz, Grand,  
Iason, Anello & Bohrer  
565 Fifth Avenue  
New York, New York 10017  
(212) 856-9600

Accepted:

  
\_\_\_\_\_  
Jeffrey Noll

  
\_\_\_\_\_  
Jared J. Scharf  
1025 Westchester Avenue  
Suite 305  
White Plains, New York 10604  
(914) 682-9777